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DIVISION OF STATE COUNSEL
LITIGATION BUREAU

May 12, 2021

Via ECF

The Honorable Eric R. Komitee, United States District Judge
United States District Court for the Eastern District of New York
Theodore Roosevelt United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Capogrosso v. Gelbstein, et al., No. 18 Civ. 2710 (EK) (LB)

Dear Judge Komitee,

This Office represents Defendants Alan Gelbstein, Ida Traschen, and Danielle Calvo, in their individual capacities, and New York State Department of Motor Vehicles ("DMV") Commissioner Mark Schroeder, in his official capacity (collectively, the "State Defendants"), in the above-referenced matter. I write pursuant to Individual Rule III(D)(2) to request a ten-page enlargement of the page limit for the State Defendants' memorandum of law in support of their upcoming motion for summary judgment.

The additional space is necessary in order to explore the long and checkered history behind the key facts of this case, which is the culmination of a string of aggressive incidents stretching back to 2009. The additional space is also necessary for the memorandum of law to fully address each defendant's individual legal and factual position, including their protection by quasi-judicial and qualified immunity. The State Defendants believe that the additional space will allow for these important issues to be presented in a clear and comprehensive manner, helping to streamline the Court's analysis of both law and facts. We thank the Court for its time and consideration of this request.

Respectfully submitted,

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Cc: All counsel of record (via ECF)

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